

**FREQUENTLY ASKED QUESTIONS FOR PROPOSED AMENDMENTS TO §177
“RESIDENTIAL OCCUPANCY PERMIT & RENTAL DWELLING REGISTRY”**

1. What is an ROP? What is the Rental Dwelling Registry?

An “ROP,” or “Residential Occupancy Permit” is a certificate required for all non-owner occupied rental dwelling units in the City of Troy. The Rental Dwelling Registry is a database of rental properties that have obtained ROPs.

2. How do I get an ROP for my rental property?

In order to obtain an ROP, the owner of a rental property must schedule an inspection with the Bureau of Code Enforcement. Upon a successfully passed inspection, an ROP certificate will be issued; the ROP shall be valid for two years from its issuance date for residential dwellings and one year from its issuance date for transient dwellings.

3. Why am I required to have my rental property inspected?

The Rules and Regulations of the State of New York Department of State, Title 19 (NYCRR), Chapter XXXII – Division of Code Enforcement and Administration, Part 1203 – Uniform Code: Minimum Standards for Administration and Enforcement provides statutory authority for this Chapter 177 as follows: 1203.3 (h) Fire safety and property maintenance inspections: Provisions shall be made for: (2) fire safety and property maintenance inspections of all multiple dwellings and all nonresidential occupancies at intervals consistent with local conditions, but in no event shall such intervals exceed one year for dormitory buildings and three years for all other buildings.

4. Are there any fees?

Yes; all non-owner occupied rental dwelling units must be inspected at a cost of \$35 plus \$15 for each additional unit being inspected. The ROP certificate itself shall cost \$30.

5. Is there a registration fee in order to be added to the Rental Dwelling Registry?

No. The former \$150 registration fee has been removed.

6. What if my unit(s) fail inspection?

If a unit fails inspection, the owner will be notified of all violations to be corrected within 30 days. The initial reinspection shall be free of charge. However, if the unit fails re-inspection, every subsequent re-inspection shall cost \$35 plus \$15 for each additional unit being re-inspected.

7. What are the inspection standards? What if I own a historic building?

The inspection standards for an ROP inspection are identical to those set forth in the Minimum Housing Standards of the NYS Uniform Fire Prevention and Building Code. As per §177-10 of the proposed legislation, existing conditions may be permitted to continue as long as they do not constitute a hazard to life, health or property.

8. When is the inspection fee due? When is the ROP certificate fee due?

Inspection fees must be paid prior to any inspection being conducted. This can be done either by mailed check or in person at City Hall, located at 433 River Street, 5th floor. The ROP certificate fee must be paid prior to the issuance of the certificate.

9. Do I need a separate ROP certificate for each unit of my rental property?

No; only one ROP certificate is required per property, which shall apply to all inspected units thereof.

10. What if my property contains a unit or units that I do not rent out?

While performing inspections of the rental units of said property, the Bureau of Code Enforcement shall (at no cost to the owner) verify that any and all non-rental units are unoccupied and non-hazardous to the condition of the remainder of the building. It is unlawful to allow occupancy of any unit that has not passed an ROP inspection; violation could lead to a fine between \$250-1,000 and/or up to 15 days in jail.

11. I am a tenant/proposed occupant of a rental dwelling unit. How can I find out if the property has a valid ROP?

As per §177-9 D of the proposed legislation, "Occupants or proposed occupants of dwellings shall have the right to view the Residential Occupancy Permit of the residential rental dwelling unit, apartment, or multiple residence in which they have an interest at no cost."

12. If a property changes ownership, is the ROP still valid?

Yes. An ROP is valid for two years, regardless of any change in property ownership. However, the new owner is required to contact our office to update the Rental Dwelling Registration Statement for the property within 30 days after any such change.

13. I am the owner of a rental property with non-owner occupied rental dwelling units, but I did not receive a notice to comply with §177. Am I still required to have an ROP?

Yes; all non-owner occupied rental dwelling units must be inspected and certified by the Bureau of Code Enforcement. Failure to receive a notice to comply with this chapter does not relieve an owner of the requirement to obtain an ROP for their rental property.